

## AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-20479 - APPLICANT: FAIRFIELD RESIDENTIAL, LLC -  
OWNER: PN II, INC.

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### **\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

#### **Planning and Development**

1. A General Plan Amendment (GPA-20474) to an H (High Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-20480) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

#### **Public Works**

4. Dedicate 50 feet of right-of-way adjacent to this site for Centennial Parkway prior to the issuance of any permits.
5. Construct half street improvements on Centennial Parkway, including appropriate transitional and overpaving adjacent to this site concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

6. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer paths to service this site prior to issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Rezoning from PD (Planned Development) to R-4 (High Density Residential) on 15.54 acres located on the south side of Centennial Parkway approximately 350 feet east of Puli Road. The project site currently consists of three undeveloped parcels of land at the western edge of the city's jurisdiction.

The proposed rezoning to the R-4 (High Density Residential) zoning district is consistent with the H (High Density Residential) General Plan designation being proposed as a General Plan Amendment (GPA-20474). While the proposed multi-family residential development is appropriate for an R-4 (High Density Residential) zoning district this project and zoning request are not appropriate for the area and denial of this request is recommended.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
07/20/05	The City Council approved an Annexation (ANX-5163) of approximately 60 acres generally located south of Centennial Parkway, east of Puli Drive. The Planning Commission and staff recommended approval. The effective date was 07/29/05.
08/11/05	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Variance (VAR-7539) to allow a reduction in the amount of required open space in conjunction with a proposed single-family residential development on the subject site. Staff had recommended denial of the Variance.
09/07/05	The City Council approved a Rezoning (ZON-7536) from U (Undeveloped) [PCD (Planned Community Development) Master Plan Designation] to R-PD8 (Residential Planned Development – 8 Units per Acre) and a Site Development Plan Review (SDR-7537) for a proposed 120-lot single-family residential development on 15 acres encompassing the subject site. The Planning Commission recommended approval. Staff recommended denial of both requests.
06/07/06	The City Council approved a Rezoning (ZON-12345) from U (Undeveloped) [PCD (Planned Community Development) Master Plan Designation] under Resolution of Intent to R-PD8 (Residential Planned Development – 8 Units per Acre) to PD (Planned Development) and a Site Development Plan Review (SDR-12342) for a proposed 118-lot single family residential development on the subject site. The Planning Commission and staff recommended approval of both requests.

06/22/06	The Planning Commission approved a Tentative Map (TMP-13538) for a proposed 118-lot single-family residential subdivision. Staff recommended approval.
12/20/06	The City Council approved a Vacation (VAC-17077) to vacate U.S. Government Patent Easements generally located south of Centennial Parkway, west of Schaumber Road. The proposal was to vacate 33-foot wide patent easements along perimeter property lines. The Planning Commission and staff recommended approval.
02/09/07	Staff administratively approved a Final Map Technical Review (FMP-19136) for a proposed 118-lot single-family residential subdivision. This map has not been submitted for Mylar review or recorded as of 04/12/07.
05/24/07	<a href="#">The Planning Commission recommended approval of companion items GPA-20474, VAR-20472 and SDR-20480 concurrently with this application.</a>  <a href="#">The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #27/rts).</a>
05/24/07	Companion items for a General Plan Amendment (GPA-20474), Variance (VAR-20472), and Site Development Plan Review (SDR-20480) will be heard concurrently with this item.
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no active or pending building permits or business licenses for this site.	
<b><i>Pre-Application Meeting</i></b>	
03/13/07	A pre-application meeting was held and elements of this application were discussed. At this meeting the GPA and changes to the zoning request were suggested. Submittal requirements were discussed.
<b><i>Neighborhood Meeting</i></b>	
03/26/07	A neighborhood meeting was held at Mountain Crest Community Center, 4701 North Durango Drive. Two members of the public attended. Comments included concerns with traffic, whether Centennial Parkway would go through or over the freeway, requests that the views to the northwest not be obscured, and lighting issues. The applicant responded the on-site light stands would be no higher than ten feet. Citizens were not opposed.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	15.54

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development) [Proposed: H (High Density Residential)]	PD (Planned Development) [Proposed: R-4 (High Density Residential)]

North	Undeveloped	PCD (Planned Community Development)	PD (Planned Development) [RSL (Residential Small Lot) Cliff's Edge Special Land Use Designation]
South	Undeveloped	PF (Public Facilities)	U (Undeveloped) [PF (Public Facilities) General Plan Designation]
		PF-CC (Public Facilities – Clark County Designation)	Clark County
East	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
West	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	N/A
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>			
PD (Planned Development) District	X		N*
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

\* The PD (Planned Development) district is proposed to be changed by this action.

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.08, the following development standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	6,500 SF	> 6,500 SF	Y
Min. Setbacks			
• Front	10 Feet	> 10 Feet	Y
• Side	5 Feet	> 5 Feet	Y
• Corner	5 Feet	> 5 Feet	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	10 Feet	> 10 Feet	Y
Max. Building Height	2-stories or 35 Feet (whichever is less)	3-stories / 40 Feet	N*
Trash Enclosure	Screened and Gated	Screened and Gated	Y
Mech. Equipment	Screened	Screened	Y

\* A Variance (VAR-20472) has been requested for this standard to allow three-story buildings where only two-story buildings are permitted in an R-4 zoning district. If approved the variance would allow relief from the city standard.

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
PD (Planned Development)	Must meet Master Plan (PCD) requirements and PD District requirements	Not established at this location. (118-lots Approved)
<b>Proposed Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-4 (High Density Residential)	26 – 50 du/ac	777 units @ 15.54 acres
<b>General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
PCD (Planned Community Development) [Proposed: H (High Density Residential)]	8.0 du/ac across the entire PCD area [Proposed: 25.5 du/ac and greater]	124 units @ 15.54 acres [Proposed: 396 units (to unlimited) @ 15.54 acres]

*Pursuant to Title 19.10 and 19.12, the following landscaping and open space standards apply:*

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Parking Area	1 Tree/ 6 Spaces	41 Trees *	41 + Trees	Y
Buffer:				
Min. Trees	1 Tree/ 20 Linear Feet	151 Trees	151 + Trees	Y **
<b>TOTAL</b>		194 Trees	194 + Trees	Y **
Min. Zone Width	10 Feet @ ROW		10+ Feet on the North P L	Y

	6 Feet @ Interior Property Lines	6+ Feet on the East P L	Y
		6+ Feet on the West P L	Y
		6+ Feet on the South P L	Y

\* Parking is provided for 698 vehicles, but only 246 spaces are uncovered surface parking spaces. This calculation is based only on the open parking lot spaces.

\*\* A condition has been added to this review that a table will be needed on the technical landscape plan submission that itemizes the total number of each type of tree to be planted. The condition also requires that the revised plan reflect the type and quantity of shrubs that will be planted to meet the standard of four five-gallon shrubs per required tree within the landscape areas. Further, the technical landscape plan should be revised to reflect adequate spacing of the perimeter trees to comply with the spacing requirements.

***Pursuant to Title 19.04 and 19.10, the following parking standards apply:***

Parking Requirement							
Use	Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential	1 Bedroom Units: 293	1.25 spaces / Unit	360 Spaces	6 Spaces	366 Spaces		Y*
	2 Bedroom Units: 121	1.75 spaces / Unit	209 Spaces	3 Spaces	211 Spaces		Y*
	Total Units: 414	1 Guest Space / 6 Units	67 Spaces	2 Spaces	121 Spaces		Y*
Sub-total			648 Spaces	11 Spaces	679 Spaces	12 Spaces	Y*
TOTAL (including handicap)			647 Spaces		698 Spaces		

\* The plan indicates that the handicap accessible parking is spread throughout the development and does not indicate a linkage to any specific unit type. More handicap accessible parking is depicted in the plans than is required.

## ANALYSIS

The subject site is designated PCD (Planned Community Development) on the Centennial Hills Sector Map of the General Plan. There is an amendment to the General Plan (GPA-20474) that proposes to change the designation to H (High Density Residential). This designation allows development such as multi-family -plexes, townhouses, high density apartments, and high-rise residential. The category allows 25 or more units per acre. The project proposes to site a multi-family residential development consisting of three-story buildings. The proposed development is in compliance with the proposed H (High Density Residential) designation.

This Rezoning proposes to change the sites zoning from PD (Planned Development) to R-4 (High Density Residential). An R-4 (High Density Residential) zoning district is intended to provide for the development of a variety of multi-family units such as duplexes, townhouses and high density apartments. The proposed multi-family residential use at this location is permissible in an R-4 (High Density Residential) zoning district which is compatible with the H (High Density Residential) General Plan designation.

The site encompasses three parcels with proposed buildings built at or across the lot lines. Additionally, should the parcels in the future become separate developments the site will be placed out of conformance with the development standards established for the proposed R-4 (High Density Residential) zoning district. For this reason a condition has been added to the Site Development Plan Review (SDR-20480) that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

This rezoning has been submitted in conjunction with a proposed General Plan Amendment (GPA-20474) to change the designation to H (High Density Residential); Variance (VAR-20472) to allow the building heights up to three-stories where two-stories is the maximum allowed; and a Site Development Plan Review (SDR-20480) to site the proposed 414-unit multi-family residential development.

Due to the incompatibility of this proposed zoning district and the accompanying applications with the surrounding present and future land use designations, staff is recommending denial of this rezoning request.



## **FINDINGS**

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

**1. “The proposal conforms to the General Plan.”**

The intent and uses of the proposed R-4 (High Density Residential) zoning district would conform to the proposed H (High Density Residential) General Plan designation.

**2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The proposed rezoning will allow for the development of a 414-unit multi-family residential project on the site. This density and the proposed height variance are not compatible with the small-lot residential designation on land to the north or the adjacent properties in all other directions which are undeveloped and are designated for future master-planned development and public facilities.

**3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

Land west of the Beltway is appropriate for residential uses; this is reflected in the future land uses planned for this area by the General Plan.

**4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

The subject site will be served by Centennial Parkway, a 120-foot primary arterial as designated on the Master Plan of Streets and Highways. Appropriate off-site improvements will be required. These facilities will be adequate to serve the demands of the proposed development.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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## **ASSEMBLY DISTRICT**

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## **SENATE DISTRICT**

9

**NOTICES MAILED**                      39 by Planning Department

**APPROVALS**                                0

**PROTESTS**                                 0